IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

OP.No. 19168 of 2002(F)

PETITIONER:

V.BALAN NAIR, ACCOUNTANT, THE MELUR SERVICE CO-OPERATIVE BANK LTD., CHELIYA P.O., KOYILANDY, KOZHIKODE DISTRICT

BY ADV. SRI.ASOK M.CHERIAN

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY ITS JOINT SECRETARY TO GOVERNMENT, CO-OPERATIVE (C) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KOZHIKODE**

3. **THE MELUR SERVICE CO-OPERATIVE BANK LTD. NO.F.882, REPRESENTED BY ITS SECRETARY, CHELIYA P.O., KOYILANDY, KOZHIKODE DISTRICT**

BY ADV. SRI.SANTHOSH G. PRABHU
SPL.GOVT.PLEADER SRI.MANOJ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

O.P. No.19168 of 2002

Dated 21st February, 2007.

J U D G M E N T

Petitioner is aggrieved since the benefit of time bound higher grade in the scale attached to the post of Secretary is denied. It is not in dispute that owing to personal reasons, the petitioner has not worked as Secretary. He worked in the post only from 1966 to 1980. Thereafter, he worked as Clerk and Accountant. The benefit of the time bound higher grade was introduced only in 1984. The petitioner, on his own, having elected to work as Clerk from 1980, he is not entitled to the benefit of time bound higher grade which is intended to those who stagnate in a particular scale without promotion. Therefore, there is no merit in the writ petition. It is dismissed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No. of 2002

J U D G M E N T

Dated 21st February, 2007.